

London. Printed 1701.

THE
Succession
TO THE
CROWN
OF
ENGLAND.

Considered.

London, Printed in the Year 1701.

THE
COLLECTION
OF
MAN
AND
NATURE
OF
ENGINEERING
COLLEGES.

London, Printed in the Year 1801.

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Since the Succession to the
Crown of Monarchy was never in the History of
THE
Succession
TO THE
Crown of England,
Considered.

IT was Remarkable, That the Very Day
the Peace was Proclaim'd in London, the
Moon was in a Total Eclipse, which hap-
pened to be extreamly Visible, just as we
were making Bonfires for Joy.

I am no Dreamer of Dreams, nor the Son
of a Prophet, but I cou'd not avoid hav-
ing some little Concern at the Sight, it seem'd
so Directly to tell us, That our Peace would
have some unexpected Eclipse.

Since the Succession of a *French-man* to the *Spanish Monarchy*, has given us further Cause to expect an Eclipse upon our Peace Abroad, it were to be wisht that our Peace at Home therefore were a little better secured.

The Death of the Duke of Gloucester was the first Blow which seem'd particularly to affect the *English*, after the Conclusion of the Peace, which may very justly be accounted a Misfortune to the Nation, 1. By putting us to the trouble of looking about the World for a Successor. 2. By giving Pretensions of Right to such People as our Constitution bars from possessing the Crown. And 3dly, By giving the *Scots* Opportunity again to Choose whether they will join in a Settlement with Us or no.

Since then the Succession of Crowns, and Revolutions of Kingdoms are so much the general Subjects of Discourse at this time, tis thought it may not be altogether Improper, at least for *Englishmen*, to suspend a little their Concern for the Events of Foreign Affairs, and cast their Eyes upon their Own.

The League of Partition by the late King of Spain's Will; the accepting that Will by the King.

King of France; Instructions of the Duke of Anjou; the Emperor's Letter to the King of France; the Arch-Duke Charles to the Electors from and to Madrid and Paris; the Memorial of the French Ambassador at the Hague; the Process of the Imperial Envoy to Madrid; the Entry of the French Troops into Flanders and Milan; and the like, in these matters which take up the Thoughts and Employ of the Heads of our Politicians, who fill us with their Observations and Speculations relating to the Spanish Succession, and oblige us to it daily.

But these things, however material in themselves, and eventually of concern to us; Ought not to divert us, as that we should forget the proper Juncture which seems to be at hand, in which an Article will come before us, the Debate whereof is infinitely of more Consequence than all these, to us in Particular, if not to Europe in General, and that is, The Succession of the Crown of England.

The Settlement of the Crown of England, made by Parliament on the Abdication of the late King, seems to require some further Consideration: Fate has made Two Melancholy Infractions in the Prospect we had of

a Race of Kings from the Line of the present Establishment, by the Death of the late Queen, and the Duke of Gloucester.

'Tis Evident that if the Princess *Ann* has no more Children, and His Majesty shou'd continue to decline Matrying, *both which are but too probable*, the Settlement of the Crown as made by Consent of Parliament is at a full Stop, and it remains, That the same Authority of Parliament shou'd Consider whose Right it is to Succeed.

I do not think fit to Decide here, Whether the Power of Making and Declaring Kings and Successions, be vested in the Body of the People Collectively or Representative-ly. Originally, I think, there is no body ever disputed it, but 'tis immaterial in this Case, because it has been Debated and Decided; the Parliament have asserted their Right in its Practice and Extent, and the present Constitution of *England* stands firm uppon the Basis of that Right.

Nor shall I inquire, to much less Dictate what the Representatives of *England* assembled in Parliament may or may not think fit to do in the Matter of our Succession; but shall go on to Examine who they are, who, on the

Ex-

Expiration of the present Settlement, may put in their Claims to the Succession of the Crown, and in what particular Circumstances of Right such Claimant may now stand, respecting both the Constitution and Interest of *England*.

The Death of Queen *Elizabeth* finished the Line of our *English Saxon Kings*; the Blood of the *Plantagenets* and *Tudors* were Extinct in all the Branches of them, excepting the Lady *Margaret*, Daughter to *Henry VII.* who being Grandmother to *James the VI. of Scotland*, the Crown of *England* Devolv'd upon the Family of the *Stuarts*, in Right of that Match, and so he was Proclaimed King of *England*, by the Name of *King James the First*.

This King had by Queen *Ann*, Daughter to the King of *Denmark*, the following Offspring which is necessary to mention, because we shall meet with them again in the farther Prosecution of this Discourse.

He had Two Sons, *Henry* who died unmarried, and *Charles*, who succeeded him in the Throne.

And, ~~the Queen of Bohemia~~ Elizabeth, Married to the Palgrave, afterwards King of Bohemia, but Beaten out of both by the Emperor.

The Queen of Bohemia left Three Sons, Charles Lewis, who being re-instated in the Inheritance of his Father, was Elector Palatine, and Palgrave; and whose Posteriority we shall meet with again: Maurice and Rupert, who died without Issue.

And besides younger Daughters, a Posterior Daughter Sophia, Married to Ernest Augustus, Duke of Hanover, by whom she had the present Duke Elector of Brunswick, with Two Sons and one Daughter, married to the present Elector of Brandenburg, which Duke of Hanover must stand fair to claim, whatever Devolves upon that Branch by the right of a Marriage from a Daughter of England, in Case the Male Line of King of ~~Germany~~ should fail, which we ~~com~~ in the next Generation.

Charles the First, the Son of King James, left these Children:

Charles the Elder, who Reigned after him.
James the Second, who also Reigned after him.

Prince

Henry Duke of Gloucester, who died unmarried.

The Lady Mary, Married to the Prince of Orange, Mother to His Present Majesty.

The Lady Elizabeth, who died unmarried.

The Lady Henrietta, married to the Duke of Orleans, by whom she had *Anna Maria* married to the Duke of Savoy, by whom she has had one Daughter, now the Dutchess of Burgundy, and since that One Son, Prince of Piedmont, and another Daughter, who with their Mother are all living. Of these in their Order.

Charles the Second, left no Legitimate Issue, except One Son, *James Duke of Monmouth*, whose Birth happening in the Time of his Father's Exile, it remained a Doubt whether he was Legitimate or no; and some People have affirm'd the Contract of Marriage with his Mother was reserv'd, and had been produced to an English Parliament, if the Bill of Exclusion had not sunk in the Embrio, whereby all those Designs proving Abortive, the Witnesses perished in the General Destruction of his Party, which from that time to the Death of King Charles II. were Banished, drawing into Plots, and died by the Axe or Halter.

After the Death of King Charles II. the Duke of Monmouth entred England in Arms, and published a *Declaration*, not so much founded on his *Right by Birth*, as upon the *Mal-administration* of King James, but withal referring the *Examination of his own Legitimacy* to a *Free Parliament*, but he lost the Day and his *Life*; and so the Legitimacy of his Birth remains undiscovered to this day, and he stands attainted in blood by Parliament, as an *effeſtual Bar* against any Claim in his *Posterity*.

Besides this, King *Charles II.* publickly disown'd him as *Legitimate*, and declared he was not married to his *Mother*; but still had there been any *Authentick Proof* of the *Affirmative*, I presume that *Declaration* of King *Charles* had been of small Value, especially if the Fight at *Sedgmore* had favour'd him with Power to have backt that *Affirmative* with the *longest Sword*; for Victory, which gives *Crowns*, takes off *Attuinders*, and makes any body *Legitimate*.

To King *Charles* succeeded *James*, the Duke of *York*, by whose *Abdication* the *Crown* is Devolved on King *William*, and Settled By

Parliament on the Princess *Ann* and her Children, and on Default of such Issue, to the Heirs of His present Majesty.

Now neither His Majesty nor the Princess having any Children, it remains to examine who are the *Pretenders to the Succession*.

I shall first Rank all the *Pretenders to the Blood Royal of England* which are now in being, and Consider their *Pretensions* afterwards.

I shall not call Her Royal Highness the Princess *Ann* a *Pretender*, because She is *Heir Apparent*, *Included and Declared in the present Act of Settlement*. Nor shall I go back to her Father, who stands *Excluded by his own Act and Deed*, and the *Case already Decided by Parliament*: For as I shall not pretend to question *Acts of Parliament and Settlements made by the Commons of England*; so I shall not so much as suggest, that what they have done needs my weak Pen to *Vindicate or Defend*.

But waving those Two Articles, I proceed to Name the present *Claimants in Being*, whose *Legitimacy is indisputable*, and whose *Titles are just and undeniable*; so far as

Lines and Blood gives an Title to the English Crown.

The First and Immediate Heir, and I take it, is,

Anna Maria, Duchess of Savoy, Daughter to the present Duke of Orleans, by Henrietta, Eldest Daughter to King Charles the First, being without doubt the Nearest of Kin to the Crown of England, as standing in the same Degree by the Female Line, as the Princess Anne by the Male.

From this Lady the Title Descends to her Son.

Prince of Piedmont and his Heirs,

Mary Duchess of Burgundy, born in 1685,

Princess of Savoy, born in 1688.

On Failure of this Line, the Crown Devolves to the Posterity of Elizabeth Queen of Bohemia, Daughter to King James the First, whose Son Charles Lewis, Elector Palatine, left One Daughter, Charlotte, now Duchess of Orleans and Heir to the Crown of England, in Right of the Queen of Bohemia aforesaid.

This

This Lady is still living and has Two Children, a son and a daughter, both of whom are excellent Excellencies and are both well educated. The son is a Frenchman, and the daughter is a Frenchwoman, and is the wife of Philip Duke of Charlez, born and educated in France. And the daughter is the wife of the Duke of Lorrain.

After the Duchess of Orleans, and her Family, the Princesses of Conde Claims a Right of Succession to the English Crown, being Daughter to Edward Count Palatine, Grand Daughter to the Queen of Bohemia, or Great Grand-Child to King James the First.

Her Posterity are as follows,

Lewis Duke of Bourbon, Married to one of the French King's Natural Daughters.

Maria Theresia Mademoiselle de Bourbon.

Mary Ann Mademoiselle de Mazarin.

Anna Maria Victoria Mademoiselle d'Enghien.

After this Family, the Sister of this Princess Claims a Title, she is Duchess Dowager of Hannover, and has Three Daughters, the Duchess of Mantua, the Duchess of Modena, and the youngest Married lately to the King of the Romans.

Thus far goes the Male Line of the Queen of Bohemia, and all these Claimants are Roman Catholics.

The Next in Course, and the First Protestant Heir, is that Excellent Princess Sophia, before mentioned, Duchess and Electress Dowager of Hannover, Grand-Daughter to King James the First, and who is still living, Sister to the late Prince Rupert, and the only surviving Child of the Queen of Bohemia.

Her Children are

1. George Lewis, Present Elector of Hannover, and his Two Sons,
 1. George Augustus, Electoral Prince of Hannover.
 2. William Ernest, Duke of Hannover.
2. Christian.
3. Ernest Augustus.
4. Sophia, a Daughter, Married to the Elector of Brandenburg, and is now Queen of Prussia, by whom she has One Son, ~~Frederick William, Prince of Brandenburg~~, the Duke of Prussia to whom the King

These are the Visible and Incontrovertible Heirs to the Crown of England. There are Two other Pretenders, whose Legitimacy being Question'd, I have reserv'd to set down by themselves.

The

and The Posterity of King Charles II. and
James Duke of Monmouth, which are mislabeled
as former Earl of Dalcross in Scotland, and
sons after his Mother Duke of Buckingh-

am Henry Scot, without Title.

And, One Daughter.

And the posterity of an of their brood is ad yam
And the posterity of King James II. viz.

the Prince of Wales, And
Sophia Mademoiselle d'Angleterre.

I should pass by the whole Line of Orleans
with this Observation, That they stand Exclud-
ed on the account of Religion by the Fundamen-
tal Constitution of England declared in Parlia-
ment; but that we have several Suggestions
made by some People, who wish no very great
Good to our present Settlement, on the Head
of this Article. ^{ed. of the French in 1715} to the
First, They tell us, That if the Dukes
of Savoy shall make an Offer of sending hi-
ther her Son the Prince of Piedmont to be
brought up in the Protestant Religion, we can-
not deny him the Succession, he being Grand-
son to a Daughter of England. ^{ed. of the French in 1715}
Secondly, They tell us, That the King of
France, upon the Prince of Piedmont's quitting
his

his Pretensions, or dying without Issue, may
Claim in Right of the Duchesses of Burgundy,
Daughter to the Duchess of Savoy, who is
without Question the next Heir: And tho'
by *Act of Parliament* we have thought fit to
Exclude them, because *Roman Catholicks*, it
may be a good reason to us to oppose her, but
it can be no good reason against her putting
in her Claim, and the *Sword*, say they, must
decide it.

These are Two Points which require some
Consideration, and O *right* *divine*
As to the Prince of Piedmont's *being*
brought over hither to be educated a *Prote-*
stant: I make no Question but the Prince of
Piedmont, after his Mother the Duchess of
Savoy, is the Next Heir to the *English Crown*,
and, saying to the *Parliament*, the Right of
disposing the *English Government* so, and to
such Hands as they have either Power by just
Reason to do if the Present Establishment
Extinct. I know nothing could be said in Bar
of his Title but his *Religion* is not to
no Nay, I must go farther, and say, That even
the Prince who shall *claim* being a *Papist*
pro-

fest, -does not weaken his *Claim of Right*, it only Bars the Door against him, that he cannot get at it. The *Act of Parliament Excluding a Roman Catholick from the English Succession and Crown*, does not lessen that Prince's *Right of Claim*, but it makes it *unlawful* for us to receive him unless he turn *Protestant*.

The Prince of *Piedmont* is not less an Heir to the *Crown of England* for being a *Roman Catholick*, but *England* is rendred Foreign to him by the *Act of Parliament*, whereby he *stands excluded*; that is, the Nation is arm'd by Law against receiving him; and this is apparent, because that Hour that any such Prince professes himself a *Protestant*, his Right takes place, and that which before was Lawful to do, *viz.* to oppose him, would be then *High Treason*.

It may be ask'd here, If when your Throne is *Vacant* you pass by the Right Heir because he is a *Papist*, and proceed to the next who is a *Protestant*; If this Heir afterward turn *Protestant*, is not his *Claim then Right*, and ought not the *Incumbent to relinquish it to him*?

Answe. In *Descent of Estates* such an *Objection* may be good, but in that of *Crowns* it

cannot be, Because the *Crown* is entred upon by mutual *Stipulation*, and if ye have Once admitted an *Heir* into *Possession*, and a *Coronation* has past, which is the *Seal of the Contract*, Nothing but *Male-administration*, *Death* or *Defection* can dissolve the Peoples *Allegiance*.

But if such Prince will qualifie himself for the *Crown*, and turn *Protestant*, he must do it in Time, and before the *Right of Devolution* fall. For *Crowns* are not to be *transpos'd*, and *Kingdoms* change *Masters* as often as Princes please to change their *Religion*.

If then the *Duchess of Savoy* is willing to breed her Son up in the *Protestant Religion*, in Order to qualifie him to enjoy the *Crown of England*, the Way is, in my poor Opinion, first to send him into *England*, and commit him to such *Governours* as the Nation may be very well satisfied in, such as are Eminently Pious, Zealous, *unbiast* and *disinterested*; if the *Government* will appoint them 'twill be so much the better; and, when this is first done, an Ambassador may apply himself to the *King* and *Parliament* with some Ground, but to Treat of it as at the present Distance, seems too Remote for us to Concern our selves about it.

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As to the Claim of the French King in Right of the Dutches of Burgundy, it must be Founded thus :

Either that the Prince of Piedmont may relinquish his Right to his Sister, or that the French King may be brought in speaking thus to the Prince of Piedmont, *Your Highness has a Right to the Crown of England, if you will Claim it well and good, if not, it goes to your Sister, who is with us, and if you refuse, she shall Claim it.*

'Tis Confest, That in either of these Cases the French will have a Colour of Claim ; for as I have Noted already, tho' by our own *Acts and Deeds*, (for every *Act of Parliament* is the *Act and Deed of the People* ;) Tho, I say, by our own *Act and Deed* we may agree among our Selves, *that Persons so qualified shall Not Reign over us*, yet, speaking of *Hereditary Right*, a *Roman Catholick Prince* cannot have the *less Right* by Birth than he had before ; the Dutches of *Savoy* is not less the Grand-Daughter of King *Charles the First* for being a *Papist*, than she was before ; Nor is she less an Heir to the Crown of *England* than she was before ; Only the *People of England* have resolv'd, *That be it her Right or not* her

Right as to Birth, she shall not possess, unless she turn *Protestant*.

I might Examine here, *Whether a Right by Birth has so much in it, that it cannot be in the Peoples power to reject it, or whether it be in the People to stipulate with their Princes on what Conditions they shall ascend the Throne?* But this Dispute is so often Decided by the Practice of all Nations, that 'twould be suppos'd I only wanted something to say, if I should enter upon it here.

And tho' we have some who are very fond of calling our Government an *Elective Monarchy*, yet they cannot give us one Instance in all the last *Settlement*, wherein the *Parliament*, whatever Right they have to alter it, have not kept close to the *Right of Descent*, and followed the Right Line, unless they will suppose that the *Administration* remaining in King *William* during his Life, be an Infraction into the *Line of Succession*, which if the Doctrine of the *Abdication* be true, would be hard to make out.

But I shall not *Concern* my self, Whether our *Succession* shall be guided by *Descent* or *Choice of the People*: Only I shall suppose, if the *Hereditary Descent* of the *Crown* be observ'd, who

who the Persons are to whom it so Descends, and if not, out of what Families we may direct the Choice of an Heir, so as that the *Right of Descent*, and the *Right of Election* may go hand in hand, and kiss each other.

As to the Right of those Princes who are *Roman Catholicks*, and by our Laws are Barr'd from inheriting the *Crown*, let them think their Right as good as before, our Business is to stand by, and defend our *Constitution*; and tho' the Power of *France* may be concern'd in the Claim, we must do as well as we can; and when we find we cannot Defend our selves against them, 'tis time then to make as good Terms as we can.

Under this Head therefore, I mean, of Religion, all the Princes of the House of *Savoy*, *Orleans* and *Conde*, with their Numerous Offspring, stand Excluded from our *Succession*, and rendred *uncapable of the Government*.

The House of *Hannover* therefore, is the *only Line* which with an undisputed Right of *Descent* stands fair to Claim the *Crown of England*; and the present Elector of *Hannover*, being the Eldest Son of the Lady *Sophia*, before named, and Great Grandson to *James the*

the First King of England, is without doubt the Next Heir of the Crown. But since these Gentlemen, who are so fond of the Electiveness of our Kingdom, make it much their Business to *find fault with Foreigners*, only because they are so, as if no Man were fit to Govern the English Nation, but what was Born here; I cannot but *Consider one thing*, in answer to that, in order to satisfy those People, and that is, that in Case the Settlement of the Crown of England shou'd be declar'd by Parliament in Favour of any of the Princes of the House of Hannover, that Prince may be invited over to Reside among us, to Inform himself of our Customs, Laws and Way of Living, to be acquainted with Persons and Things, to see the Temper and Genius of the Nation, and to be fully instructed in the Nature of our Constitution, and the Interests of the Nation as to Trade abroad and at home, that by his Presence he may become familiar to the People, and be beloved by them.

A Prince Born and Educated abroad must certainly be very much at a Loss when he comes to Govern a People, whose Laws and Customs, Tempers and Persons he is unacquainted with. It

It is not an *easy* matter for a Prince, with all the advantages of Birth and Education among us, to accommodate himself to the Government of this Great People, and he that shall come from Abroad, will have *innumerable disadvantages* in the Nice Articles of Government. He will be more liable to *Mistakes* and *False Steps* in the Choice of his Counsellors, for want of the *knowledge of Men*; and in the Choice of his Measures, for want of the *knowledge of Things*, more liable to Mistake himself, and above all, *much more liable to be Mistaken by us*; for the Natural ill Humour of the Nation with respect to Foreigners, will Magnifie every thing to his *Disadvantage*.

The *English* are a *jealous* Nation, particularly as to the *Encroachments* of their *Princes upon their Liberties*. 'Tis true, they are to be *Excus'd* in some Measure, from the Danger of Ruine they have more than Once been in upon that account; but this will be allow'd to make them not altogether so *Easy* to their *Princes*, as otherwise they might have been; and let the Person who shall succeed, be *Owner* of *Never so much Candour* and *Honesty*, he will have *Need* of all the *first* to oblige them, and all the *last* to *preserve himself*.

His Present Majesty was the best acquainted with our *Constitution, Laws, Temper*, and whatever was *Needful* to qualify him for the *Government of this Nation*, of any Prince in the World that had lived all his time abroad; and yet, I doubt not but His Majesty has experienced some *Disadvantages* he receives, as to *immediate management of Affairs*, for want of a more compleat Personal Knowledge both of *Things and Men*.

Knowledge of Men is one of the most useful things to a Prince; for how else shall he judge in the Trust he is to place; and how often such are betray'd who are forced to choose their *Confidants and Counsellors* by *other mens Characters*, and not their own knowledge, we need but look a little way back to see.

Tis not a small Concern which Princes have in the Choice of their *Counsellors and Favourites*; for if they are ill serv'd by them, tho' the Law look on the *Instrument*, and punishes the *Person*, clearing the King from all supposition of Blame, yet the mismanagement of Officers and Statesmen is always suppos'd to reflect obliquely upon the *Discretion of the Prince*.

Where-

Wherefore 'twill be the real *Interest* of the Prince, whoever he be on whom the New Settlement shall fix, if he be a *Foreigner*, unless he be a Regent, a Sovereign in Possession, and so cannot quit his other Affairs, 'twill certainly be his *Interest*, and the *Nations* too, in many Respects, to come and Reside among us.

I might be expected to Descend to the *Right* of the Two Disputed Persons I have mentioned ; and tho' 'tis a tender *Point*, yet I shall Venture to say something with relation to the *Point*, which shall be, I hope, *offensive to no body*.

The Duke of Monmouth was a Person Valued and Beloved by the *English Nation*, at no indifferent rate. Since Prince Henry, Eldest Son to King James the First, No Branch of the Royal Blood has been so much the Darling of the People, of whom Dryden in his *Abel* and *Achitophel*, tho' 'twas a Satyr upon him, was forced to acknowledge :

S. OR TO SIGHTING I BEARING PE
AN OF OF ALL THE ROYAL PRINCES WAS NONE W
SW, SO BEAUTIFUL, SO BRAVE, AS ABSALOND, WHO
ALMOST IN A T
AT HIS GALLANTRY ABROAD, HIS OBLIGING CARRIAGE
WELL C

at Home, and especially his Love to his Native Country, Endear'd him to the Nation, and his Memory is Valued by them still.

That he Fell at last in the same laudable Attempt of rescuing this Nation from Popery and Tyranny, which His present Majesty performed afterward with such happy Success, was Owing to God Almighty's inscrutable Providence: but the Undertaking was no less Glorious, nor the action the less Just, nor the Memory of that Blood, which was offered up as a Sacrifice for our Liberty, Ought not to be less dear to us than it would have been if it had been Crown'd with the same Success. on the
His Right of Succession, and the Legitimacy
of his Birth, were in his Declaration committed
to the Examination of a Free Parliament, which
Free Parliament never having been obtained,
and that Brave English Gentleman having been
Querejucior Betray'd, for whatever it was, No
Man has ever had the Courage or Honesty to ask
the Question sybe, whether his Birth might
be proved Legitimate or no?

With a perfect subiecting my Opinion to an English Parliament, which God be praised, we now enjoy, I crave leave to say, That it seems to me a little strange, That the Blood of that

Gallant Man shou'd not leave Gratitude enough
in England once to think it worth while at
least, to enquire Whether he had any legal Right
or no? Whether the Legitimacy of his Birth
could be made out or no? Or so much as to
declare, That if his Posterity have any Argu-
ment to prove at they shall be heard.

The Cause in which he died, has been revi-
ved, The Liberties for which he fought, and
in the just Defence whereof he Gallantly lost
his life, and so many Brave Men with him, are
recovered, the Protestant Religion, for which
he ventur'd is restored. Nay, the Blood of
some of his Adherents and Familiars is restored
by Parliament, and their Attender taken off,
And shall we have so much regard to the
Cause, and have none to the Captain? So
much Gratitude to the Members of that Army
and none to the Head? He has a Noble Branch
of his Stock left, which bears his Name
and Image, it can do him no harm, to examine
whether the Title of his Father had any thing in
it or no, if not, the Son is not the worse, and
the Nation wou'd shew an Act of Kindness as
well as Gratitude, to the Immortal Memory of
his Renowned Father.

Here would be an English King, born among us, that wou'd Claim an Interest in our Hearts as well as Crown; a King whose Value wou'd be raised upon the Foundation of his Father's Merit, and be illustrated by his Own.

A Phœnix, rais'd out of the Ashes of his Father, who Sacrificed his Life, to save the People his Son wou'd govern.

All the Pretences of Foreigners, Claims of Princes, and the Prospect of a long and bloody War, wou'd cease and vanish. If an English Parliament shou'd examine into the Arcan's of his Father's Production, and find cause to declare him Legitimate, all the Claims of the House of Savoy and Orleans wou'd be at an end: All the Melancholy Prospect of the Destruction of this Nation wou'd die. If the True English Courage and Gallantry of his Father be Descended with his Blood, there is no fear but he may come to be a Glory to the English Throne, and be fitly qualified to succeed his present Majesty, both at the Head of English Armies, as well as at the Helm of English Councils. If not, there can be no Harm done in examining into the Truth of the Thing, the Justice of the Enquiry is not the less, tho' the

Legitimacy should not appear, || For to search after it discharges the Debt which seems to be due to the Ashes of his Father, and who knows what Smother'd Evidences may revive, if it were encouraged by a National Authority.

If it were but Voted, || That whoever could offer any Proof of the Legitimacy of the late Duke of Monmouth, shou'd be heard, and a Committee appointed to inquire into it. || This would put an End to the Case, || if nothing appear'd, nothing would follow, and there would be an End of it; we were but where we are, and no body would be the worse.

One thing I believe the Succession of this Prince would bring with it, which I am afraid no other Succession will, and that is, it may preserve the present Union of Scotland.

That the Scots will join again with us in the further Settlement of the Empire, I believe few People expect; those who slight the Scots so as to think 'tis not worth while to trouble our selves whether they do or no, indeed lay no stress on this Argument. Truly nor I much upon their Judgments.

If we can expect the Scots will do that which they are sorry they did before, then indeed.

deed we may suppose they will follow us, to settle their Crown as we please to do ours. But if we will allow the Scots to think themselves ill used by us in the matter of Darien, and some other Disadvantages of Trade, we cannot expect they will join in such a Settlement as we shall make, without appointing Commissioners to Treat of some Conditions which they want to have us comply with.

What else can the Scots mean when they tell us, They lost the advantage of making good Terms with us in their too hasty passing the last Settlement, and the Time is coming when we shall want them again.

I must confess French Councils, and French Money may do much with a Needy Nation to embroil both them and us in Case of a New Settlement; and if they should break off from us, and assert their Independent Right, which without doubt is their Due, and set up for themselves, I shall not enter into the long Detail of the Inconveniences that will follow, but One I cannot omit, viz. that it will oblige us to keep a standing Force, always ready to defend us against them, to strengthen and fortifie our Borders, and thereby to fall into that same

same Inconveniencie which we have made such a stir about.

But if the Legitimacy of a Prince be clear'd up who is equally a Native of both Nations, I know nothing can be a greater Motive, nor can there be any Argument that I know of, from us to them, which can carry so much force in it to ingage that Implacable Nation to forget their Resentments, and acquiesce in the same Succession of Government with us.

I do not examine here, Whether we have affronted the Scots, in declining to Treat of the Union they have pusht for so often; in laying Additional Duties on their Manufacture of Linnen, and in refusing to Trade with them in their Incroachment of Colony, call it what you will, at Darien. Nor do I lay so much stress upon the affronting them, if we have done it, especially if they were singly considered, but if they are to be considered with relation to the present Circumstances of Europe, more may be said upon that Article than is fit to be made publick. I would forbear also giving Offence in this Article of the Succession to those whose particular Province it is, and in whose Hands the right

right of discussing this great Head of our Felicity is Deposited ; and therefore I think it necessary to explain my self.

I do no where enter into the Merit of the Cause, however I may be Convinc'd my self of the Legitimacy of the Father, and the Right of the Son, which indeed I never doubted of, and freely ventured for ; But since in a Nation where Civil Justice is Regnant, every English Subject has a Right to demand Relief. If he be injur'd, it is but equal that Inquisition be made into the Claim of a Person of this Figure, and that it only be examin'd, whether he has any such Right or no. The bare Enquiry can do nobody any harm, and the Title of other Pretenders is not at all lessened by it.

It has been objected to me since I thought of this Affair, That to start such a thing would be to Expose the Life of the young Gentleman we speak of. It is said it should cost a great deal to

*Ans*w. In France or Turkey such an Argument might be good, and I should have been very Cautious of Starting the Case, but I have banished the Suggestion on the following account that Numa omitted to make a Law against Parricide in Rome, as a Crime too horrid to be nam'd among the Citizens. The

The sum of the matter is this, That the Legitimacy of the Duke of Monmouth may be Examined into, and the Title of his Son consider'd, and such Measures taken thereupon, as to Right and Justice is due, and to our wise Legislators shall seem meet.

I will not Dispute, Whether the Parliament of England, in settling the Succession may not have a Right to fix it as they see cause, and avoid the Lineal Descent of this Family or any other.

But if so, then they have a Power as well to fix it upon this Heire as another, whether the Legitimacy be examined or no: and the Crown of England Naturalizes and Legitimizes any Body.

Nay, Herein the Person we speak of, has infinitely the advantage of all Pretenders; for if we have any Remembrance of the Blood of his Father, which was pour'd out by the Enemies of the Protestant Religion, in Defence of that Religion, and the English Liberty: If vve have any Remembrance of the Bravery and Gallantry of his Person, and how tenderly the

Nation lov'd him. If vve have anyl sense of the many miserable Admities that perish'd wth him in the same Canse, we cannot but give way to the Just Claim that Blood makes, and shew our Gratitude to his Posterity.

I had proceeded here to consider the *Preten-*
sions of the pretended Prince of Wales; and tho'
 I am prevented very well by a late Argument
 proving he has no Claim to the *Crown*, tho'
 he were a *Protestant*; yet I must also say,

That if vve go back to the Right of the late Duke of Monmouth, and allow him to be *Legitimate*, the Title of the other *full of course*, and tho' he were the *True Son of the Late King*, and a *Protestant* also, he has no more Title to the *Crown* than the *Lord Mayor of Dublin*.

It may be objected hereby, that King Charles the Second publicly Disclaimed the Duke of Monmouth's Legiti-
 macy. *It is in this point to be observed, that King Charles the Second, in his Answer to the Duke of Monmouth, did not disclaim the Duke's Legitimacy, but only his Right to the Crown.* So King James II. publicly as-
 serted the *Legitimacy of his Son*. And if One

vwas not believ'd in the *Affirmative*, vwhy
should the other in the *Negative*?

Besides, 'Tis well known under vwhat Influences, and by the *Conduct* of what *Councils* that Prince acted vwhen he made that *Declaration*, the same *Conduct* and *Councils* that afterwards publickly assaulted the *English Liberties*, and then proceeded to attempt the *Subversion* of the *Protestant Religion*: Both vwhich Attempts this Noble Gentleman vigorously appear'd against, and to his Utmost Opposed, and thereby disobliged his Father, who was too deeply ingaged in that Party and Design, and for them vwas prevailed upon to *Disclaim*, and consequently *Disinherit* His Son.

So that his *Early Appearing* for the *True Liberty* and *Interest* of his *Country* first Cast him into the *Displeasure* of his Father, and all the *Indignities* of a provokt and prevailing Party: And the Just Defence of the same *Liberty*, and the *Protestant Religion*, against the *Encroachments* of a *Popish King* at last Cost him his *Life*, which join'd to the infinite Sufferings he underwent in

his several Banishments, his Flight, Imprisonment, and last Moments are more than sufficient, had they been for the Popish Interest, to have given him the Title of a Martyr.

Since the late Happy Revolution, Care has been taken to Vindicate the Honour of some Noble Families who fell in the same Calamities: The Sufferings of others have been Considered, Even to the most Contemptible Persons of F----- and Dr. O-----. And several of the Remnant of that little Army have been provided for, and preferred. We see those who joined with the Duke of Monmouth rewarded with Honours, Preferments and Trusts, both by Court and Country, and their early Zeal for the Protestant Religion approv'd, so as they have had Considerable Commands in our Protestant Armies: But what Gratitude this Nation has expressed, either to the Memory, Blood or Posterity of that Noble Victim, I profess my self at a Loss to find out. I hope the more is yet to come.

A Declaration, either of his *Legitimate Right*, or of his *Eminent Interest* in the Hearts of the *English Nation*, so as to Establish the Crown on his *Posterity*, would abundantly Compensate the Sufferings of his Family, and leave an Honourable Testimony to Future Ages, both of the Merit of his Father, and the Gratitude of the *English Nation*.

And if this Cause cannot be Clear'd up, nor the *English Crown* go this way; yet something, methinks, should be thought on, to restore the *Blood and Honour* of a Gentleman who laid them Both down for the *Liberty and Religion* of his Country.

AND this ~~REPLY~~ but add, That what is said here is so far from a Mixture of *Interest* and *Parties*, that the Author hereof is not known to either the Person or Family of the present Earl of *Dalkeith*, or any of his Relations or Dependents: Nor is it Wrote to promote any *Faction* or *Party*, but *Honestly Design'd* to put us in Mind of the Merits of that Noble

ble Person, for whom Once the whole Nation had so Great an Esteem, that 'tis strange how it should come to be so Much forgotten!

Philis to the Crown only is bound
suspiciously. Consequently the Subjects of
the Empire, that those in Honours and
Power to the Queen, have the Confidence of the
King's Mission.

And if this Case concern the King

Act to his
Gentlemen who
the Privileges of the Country.

FINIS. AND this
work is left here to let from a Mix-
ture of Nature and Practice, since the Au-
thor before is not known to do either the
Person or Family to the Reader. But to Day
first, or say of his Resolution to Perse-
vere: Nor is it a Motive to determine any
Legitimacy of Party, but merely Design'd to
put us in Mind of the Manner of his life.

